

City of Corunna
Regular Council Meeting
Monday, December 2, 2002

Present: Corey, Jessen, Johnson, Mehigh, Runyan, Sanderson, Wagner.

Absent: None.

Guests: Joe Sawyer, City Manager; Janet Washburn, Parks and Recreation Director; Tim Crawford, Superintendent of Public Works; Clark Long; Chief Scott Johnson, Fire Department; Helen Granger, The Independent; Gary Granger; Todd Volek; Shirley Sanderson; Sgt. Kevin Clark, Police Department; Chief Mark Hetfield, Police Department; and other concerned citizens.

The meeting was called to order in the City Council Chambers by Mayor Corey at 7:00 p.m.

MINUTES OF THE PREVIOUS REGULAR MEETING: Johnson moved, Sanderson seconded to approve the regular meeting minutes of November 18, 2002 as presented.

Roll call vote:

Yes: Wagner, Johnson, Sanderson, Runyan, Jessen, Mehigh.

No: None.

Motion CARRIED

AGENDA APPROVAL: Mehigh moved, Sanderson seconded to approve the agenda as presented with the addition of Item No. 8) Consider Softball Commission Appointment.

Roll call vote:

Yes: Jessen, Runyan, Mehigh, Wagner, Johnson, Sanderson.

No: None.

Motion CARRIED

APPROVAL OF VENDOR DISBURSEMENTS: Mehigh moved, Johnson seconded to approve the vendor disbursements as presented with the exception of the payment to Prein & Newhof in the amount of \$1,882.51.

Roll call vote:

Yes: Runyan, Wagner, Jessen, Sanderson, Mehigh, Johnson.

No: None.

Motion CARRIED

CONSIDER RESIGNATION/DISCHARGE OF DAVE HARVEY FROM THE SOFTBALL COMMISSION: Sanderson moved, Johnson seconded to discharge Dave Harvey from the Softball Commission as recommended by the city manager effective immediately.

Roll call vote:

Yes: Sanderson, Mehigh, Johnson, Jessen, Wagner, Runyan.

No: None.

Motion CARRIED

CONSIDER ADJOURNING JANUARY 6, 2003 REGULAR COUNCIL MEETING:

Councilperson Mehig stated he thought it was a good idea to go to one meeting a month in the summer if there is a short agenda or if someone is on vacation. Johnson moved, Sanderson seconded to adjourn the January 6, 2003 regular council meeting.

Roll call vote:

Yes: Mehig, Jessen, Runyan, Johnson, Sanderson, Wagner.

No: None.

Motion CARRIED

CONSIDER POLICY FOR CLOSING/VACATING STREET AND ALLEYS: Wagner moved,

Johnson seconded to table the policy for closing/vacating street and alleys until February 18, 2003 with comments to Joe Sawyer by February 3, 2003.

Roll call vote:

Yes: Johnson, Sanderson, Wagner, Mehig, Runyan, Jessen.

No: None.

Motion CARRIED

CONSIDER SOFTBALL COMMISSION APPOINTMENT: Johnson moved, Mehig seconded to appoint Michael Anders to the softball commission for a term to begin upon the taking of the oath of office and continuing indefinitely to serve at the pleasure of the council.

Roll call vote:

Yes: Wagner, Johnson, Sanderson, Runyan, Jessen, Mehig.

No: None.

Motion CARRIED

7:15 P.M. PUBLIC HEARING FOR DISCUSSION OF ORDINANCE NO. 02-14 (BAD

CHECK ORDINANCE): Mehig moved, Sanderson seconded to leave the regular meeting and go into a public hearing to consider Ordinance No. 02-14 (Bad Check Ordinance).

Roll call vote:

Yes: Jessen, Runyan, Mehig, Wagner, Johnson, Sanderson.

No: None.

Motion CARRIED Time was 7:15 p.m.

Mayor Corey read Ordinance No. 02-14 (Bad Check Ordinance). Johnson moved, Mehig seconded to leave the public hearing and return to the regular meeting.

Roll call vote:

Yes: Runyan, Wagner, Jessen, Sanderson, Mehig, Johnson.

No: None.

Motion CARRIED Time was 7:25 p.m.

Wagner moved, Sanderson seconded to adopt the following ordinance:

ORDINANCE NO. 02-14

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF CORUNNA, MICHIGAN, CHAPTER 50 – OFFENSES AND MISCELLANEOUS PROVISIONS, ARTICLE II. OFFENSES AGAINST PROPERTY, BY ADDING SECTION 50-48. BAD CHECKS.

THE CITY OF CORUNNA, MICHIGAN ORDAINS:

SECTION I. ADDITION OF SECTION 50-48. BAD CHECKS, OF THE CITY CODE OF THE CITY OF CORUNNA, MICHIGAN, shall be as follows:

Section 50-48. Bad Checks.

- a. No person, with intent to defraud, shall make, draw, utter or deliver any check, draft or order for the payment of money, to apply on account or otherwise, upon any bank or other depository, knowing at the time of such making, drawing, uttering or delivering, that the maker or drawer has not sufficient funds or credit with such bank or other depository for the payment of such check, draft or order, in full, upon its presentation, if the amount payable in the check is one hundred dollars (\$100.00) or less. A person who violates this section is guilty of a misdemeanor punishable by imprisonment for not more than 93 days, or a fine of not more than \$500.00, or both.
- b. As against the maker or drawer thereof, the making, drawing, uttering or delivering of a check, draft or order, payment of which is refused by the drawee, when presented in the usual course of business, shall be prima-facie evidence of intent to defraud and of knowledge of insufficient funds or credit paid the drawee thereof the amount due thereon, together with all costs and protest fees, within five days after receiving notice that such check, draft or order has not been paid by the drawee. A person who violates this section is guilty of a misdemeanor punishable by imprisonment for not more that 93 days, or a fine of not more than \$500.00, or both.

SECTION 2. Severability.

This Ordinance and the several sections, sub-sections, paragraphs, clauses and parts thereof are hereby declared to be severable. If any part or clause thereof is declared or adjudged invalid by present or future legislation or decree, the balance of the Ordinance shall not be affected thereby.

SECTION 3. Conflicting Ordinances Repealed.

All Ordinances previously adopted and incorporated in the Code of the City of Corunna, Michigan, through codification procedures, or any existing Ordinances that are inconsistent with the provision of this Ordinance are hereby repealed, and in the case of inconsistencies, to the extent of such inconsistency, are hereby repealed.

SECTION 4. Copies Available.

This Ordinance may be purchased or inspected in the City Clerk's Offices, Monday through Friday, between the hours of 9:00 a.m. and 4:30 p.m.

SECTION 5. Effective Date.

This Ordinance shall take effect pursuant to the Corunna City Charter, immediately upon publication hereof.

Roll call vote:

Yes: Sanderson, Mehig, Johnson, Jessen, Wagner, Runyan.

No: None.

Motion CARRIED

7:30 P.M. PUBLIC HEARING FOR DISCUSSION OF ORDINANCE NO. 02-15

(PROWLING/UNLAWFUL PRESENCE ORDINANCE: Johnson moved, Wagner seconded to leave the regular meeting and go into a public hearing to consider Ordinance No. 02-15 (Prowling/Unlawful Presence Ordinance).

Roll call vote:

Yes: Mehig, Jessen, Runyan, Johnson, Sanderson, Wagner.

No: None.

Motion CARRIED Time was 7:30 p.m.

Mayor Corey read Ordinance No. 02-15 (Prowling/Unlawful Presence Ordinance).

Mehig moved, Sanderson seconded to leave the public hearing and return to the regular meeting.

Roll call vote:

Yes: Johnson, Sanderson, Wagner, Mehig, Runyan, Jessen.

No: None.

Motion CARRIED Time was 7:35 p.m.

Mehig moved, Sanderson seconded to adopt the following ordinance:

ORDINANCE NO. 02-15

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF CORUNNA, MICHIGAN, CHAPTER 50 – OFFENSES AND MISCELLANEOUS PROVISIONS, ARTICLE II. OFFENSES AGAINST PROPERTY, BY ADDING SECTION 50-49. PROWLING/UNLAWFUL PRESENCE.

THE CITY OF CORUNNA, MICHIGAN ORDAINS:

SECTION I. ADDITION OF SECTION 50-49. PROWLING/UNLAWFUL PRESENCE, OF THE CITY CODE OF THE CITY OF CORUNNA, MICHIGAN, shall be as follows:

Section 50-49. Prowling/Unlawful Presence.

- a. Prowling In Alleys, On Private Property. It shall be unlawful for any person to prowl about any alley or the private premises of any other person in the nighttime, without authority or the permission of the owner of such premises. A person who violates this section is guilty of a misdemeanor punishable by imprisonment for not more than 90 days, or a fine of not more than \$500.00, or both.
- b. Unlawful Presence. It shall be unlawful for any person to lurk, lie in wait or be concealed in any building or any yard or premises within the city, with intent to do any mischief or to pilfer or to commit any crime or offense whatever. A person who violates this section is guilty of a misdemeanor punishable by imprisonment for not more than 90 days, or a fine of not more than \$500.00, or both.

SECTION 2. Severability.

This Ordinance and the several sections, sub-sections, paragraphs, clauses and parts thereof are hereby declared to be severable. If any part or clause thereof is declared or adjudged invalid by present or future legislation or decree, the balance of the Ordinance shall not be affected thereby.

SECTION 3. Conflicting Ordinances Repealed.

All Ordinances previously adopted and incorporated in the Code of the City of Corunna, Michigan, through codification procedures, or any existing Ordinances that are inconsistent with the provision of this Ordinance are hereby repealed, and in the case of inconsistencies, to the extent of such inconsistency, are hereby repealed.

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SECTION 5. Effective Date.

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Roll call vote:

Yes: Wagner, Johnson, Sanderson, Runyan, Jessen, Mehigh.
No: None.

Motion CARRIED

CONSIDER TRAFFIC CONTROL ORDER #206 (NO PARKING AT ANYTIME S. SIDE OF W. PINE STREET BETWEEN SHIAWASSEE AND MARGARET STREETS):

Councilperson Sanderson stated it has to be understood that the city council is going along with what the state requirements for a major street are. Mr. Sawyer advised major streets are funded considerably better than local streets are. Major streets get three times more money than local streets do, but the city has three times the local streets than it has major streets. He further advised Pine Street is not wide enough to accommodate parking on both sides of the street. Councilperson Mehigh stated he would like to see parking allowed from Margaret Street to Fred Hein Drive as long as the car is not on the pavement because older people from out of town will only see the no parking sign. Johnson moved, Mehigh seconded to adopt Traffic Control Order #206 (No parking at anytime S. side of W. Pine Street between Shiawassee and Margaret Streets).

Roll call vote:

Yes: Jessen, Runyan, Mehigh, Wagner, Johnson, Sanderson.
No: None.

Motion CARRIED

CONSIDER TRAFFIC CONTROL ORDER #207 (NO PARKING ON PAVEMENT N. SIDE AND S. SIDE OF W. PINE STREET BETWEEN MARGARET STREET AND FRED HEIN DRIVE):

Councilperson Mehigh asked if the signage would state no parking on the pavement. Mr. Crawford advised yes. Councilperson Sanderson asked if the city was having any problems with funerals. Mr. Sawyer advised no and the traffic control order is not intended to impact funerals. Wagner moved, Johnson seconded to adopt Traffic Control Order #207 (No parking on pavement N. side and S. side of W. Pine Street between Margaret Street and Fred Hein Drive).

Roll call vote:

Yes: Runyan, Wagner, Jessen, Sanderson, Mehigh, Johnson.
No: None.

Motion CARRIED

ROUNDTABLE DISCUSSION: Councilperson Mehigh reminded council about the Christmas dinner on Saturday and advised the public is invited and tickets were still available.

Councilperson Runyan advised at the last Shiawassee Area Transportation Agency board meeting a decision was made to change the meeting day from the first Tuesday of the month to the second Tuesday of the month.

Councilperson Johnson advised she would like to see a proclamation done for Guy Stuart for his help in getting Mr. Andrews back home. She further advised the next ambulance board meeting is December 19 and she would like to present Mr. Stuart with the proclamation on that date.

Councilperson Sanderson advised a ribbon cutting for Extreme Graphics would be held on December 5 at 11:30 a.m.

Mayor Corey stated he wanted to congratulate the Corunna High School Quiz Bowl on their championship.

ADJOURN: Jessen moved, Mehig seconded to adjourn.

Roll call vote:

Yes: Sanderson, Mehig, Johnson, Jessen, Wagner, Runyan.

No: None.

Motion CARRIED Time was 7:55 p.m.

STEVE COREY, MAYOR

YVONNE F. LONG, CITY CLERK